TITLE 7—AGRICULTURE
CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE
PART 319—FOREIGN QUARANTINE NOTICES

NURSERY STOCK, PLANT, AND SEED QUARANTINE
LIST OF APPROVED PACKING MATERIALS AND INSTRUCTIONS FOR THEIR USE

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by § 319.37-16 of the regulations supplemental to the Nursery Stock, Plant, and Seed Quarantine No. 37 (7 CFR 319.37-1 through 319.37-25, 13 F.R. 4267), the following administrative instructions are hereby issued to approve certain packing materials that may be employed in connection with any shipment of restricted plant materials, to prescribe instructions as to their use, and to indicate situations under which limited modifications may be made where conditions as to pest risk permit.

§ 319.37-16a Administrative instructions; list of approved packing materials and instructions for their use.—The following materials, when free from sand, soil, or earth unless otherwise noted, and when they have not been previously used as packing or otherwise with living plants, are approved as packing materials for use in connection with any shipment of restricted plant materials imported in accordance with Nursery Stock, Plant, and Seed Quarantine No. 37 and supplementary regulations (7 CFR 319.37 through 319.37-25, 13 F.R. 4267):

Buckwheat hulls
Charcoal (Inspection is difficult when this material is used. It should be used only where its particular qualities are especially desirable and other approved packing materials are unsuitable.)
Coral sand from Bermuda, when free from surface soil, and certified as such by the Director of Agriculture of Bermuda
Excelsior
Exfoliated vermiculite
Ground cork
Ground peat
Sawdust
Shavings
Sphagnum moss
Vegetable fiber when free of pulp, including coconut fiber and Osmunda fiber, but excluding sugarcane fiber and cotton fiber.

In cases of emergency an inspector may approve for use for specific shipments packing materials other than those listed, after he has determined that such materials are free from sand, soil, or earth and that their use does not involve a risk of introducing plant pests. Should

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the inspector determine that any unlisted packing material accompanying a specific shipment of restricted plant material is objectionable, the shipment may be refused entry.

Regulations governing the entry of hay and straw packing material are contained in this Department's Bureau of Animal Industry Order 371 (9 CFR 95.21 and 95.22). Such material is restricted entry from countries where rinderpest or foot-and-mouth disease exists. Any such material offered for entry without having met the conditions of Sec. 95.21 is required by Sec. 95.22 to be disinfected or burned. The provisions of this Bureau of Animal Industry Order are not applicable to hay or straw mats, jackets, or casings.

All restricted material from Europe and Canada must be free from willow withes. Such material, when not free from willow withes, will be refused entry until the withes are removed and destroyed. Such material, when accompanied by willow withes, may be held in customs custody for a period not exceeding 40 days, during which period the permittee or his agent, after making satisfactory arrangements, may remove and destroy the withes under the supervision of, and in a manner satisfactory to, an inspector, after which the shipment may be handled in the usual way.

(Secs. 1, 5, 7, 37 Stat. 315, 316, 317, as amended, 7 U. S. C. and Supp. 154, 159, 160; Secs. 1, 3, 33 Stat. 1269, 1270, 7 U. S. C. 141, 143.)

The authorization to use certain packing materials which is included in the present administrative instructions is being deleted therefrom due to the fact that it has been determined that the use of such materials involves pest risks. The public interest requires that this action be consummated at the earliest practicable date. The names of certain other packing materials have been added to those whose use is permitted by the present administrative instructions. It is of advantage to shippers that they be authorized as soon as possible to use the new materials. The amendment, insofar as such new materials is concerned, constitutes a relaxation of restrictions. Therefore, good cause is found for the issuance of these administrative instructions effective less than 30 days after the publication thereof.

These administrative instructions shall supersede B. E. P. Q. 365 (7 CFR 319.37-7a), and B. E. P. Q. 369 (7 CFR 319.37-7b). They shall be effective January 1, 1949, and shall remain in effect until modified or revoked.

Done at Washington, D. C., this 17th day of December 1948.

Avery S. Hoyt
Acting Chief, Bureau of Entomology
and Plant Quarantine